

AO 440 (Rev. 8/01) Summons in a Civil Action

UNITED STATES DISTRICT COURT

District of

MASSACHUSETTS

FILED  
IN CLERKS OFFICE  
2005 APR 27 P 12:33  
U.S. DISTRICT COURT  
DISTRICT OF MASS.

COUNTY OF NASSAU,

Plaintiff,

V.

SUMMONS IN A CIVIL CASE

CASE NUMBER: 05-10179-PBS

MDL No. 1456

(See attached Schedule A)

TO: (Name and address of Defendant)  
Key Pharmaceuticals, Inc.  
1011 Morris Ave.  
U-13-2 2900  
Union, NJ 07083  
Union County

YOU ARE HEREBY SUMMONED and required to serve upon PLAINTIFF'S ATTORNEY (name and address)

Michael M. Buchman, Esq.  
Milberg Weiss Bershad & Schulman LLP  
1 Pennsylvania Plaza  
New York, New York 10119-0165

an answer to the complaint which is herewith served upon you, within 20 days after service of this summons upon you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint. Any answer that you serve on the parties to this action must be filed with the Clerk of this Court within a reasonable period of time after service.

SARAH A. THORNTON

MAR 18 2005

CLERK

*S. Thornton*

(By) DEPUTY CLERK



AO 440 (Rev. 8/01) Summons in a Civil Action

**RETURN OF SERVICE**Service of the Summons and Complaint was made by me <sup>(1)</sup>

DATE

NAME OF SERVER (*PRINT*)

TITLE

*Check one box below to indicate appropriate method of service*

- ☐ Served personally upon the defendant. Place where served: \_\_\_\_\_
- ☐ Left copies thereof at the defendant's dwelling house or usual place of abode with a person of suitable age and discretion then residing therein.  
Name of person with whom the summons and complaint were left: \_\_\_\_\_
- ☐ Returned unexecuted: \_\_\_\_\_
- ☐ Other (Specify): \_\_\_\_\_

**STATEMENT OF SERVICE FEES**

Travel

Services

Total

**DECLARATION OF SERVER**

I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Return of Service and Statement of Service Fees is true and correct.

Executed on \_\_\_\_\_  
Date

\_\_\_\_\_  
*Signature of Server*

\_\_\_\_\_  
*Address of Server*

(1) As to who may serve a summons see Rule 4 of the Federal Rules of Civil Procedure.

Schedule A

Abbott Laboratories, Inc.  
100 Abbott Park Road  
Abbott Park, IL 60064-3502  
Lake County

Agouron Pharmaceuticals Inc.  
10350 North Torrey Pines Road, Suite 100  
La Jolla, CA 92037  
San Diego County

Amgen, Inc.  
One Amgen Drive  
Thousand Oaks, CA 91320  
Ventura County

AstraZeneca U.S.  
Astr&Zeneca Pharmaceuticals L.P.  
1800 Concord Pike  
Wilmington, DE 19897-0001  
New Castle County

Aventis S.A.  
Aventis Behring L.L.C.  
1020 First Avenue  
King of Prussia, PA 19406  
Montgomery County

Aventis Pharmaceuticals Inc.  
300-400 Somerset Corporate Boulevard  
Bridgewater, NJ 08807-2855  
Somerset County

Barr Laboratories, Inc.  
2 Quaker Road, Box 2900  
Pomona, NY 10970-0519  
Rockland County

Baxter Health Care Corp.  
One Baxter Parkway  
Deerfield, IL 60015-4625  
Lake County

Bayer Corporation  
100 Bayer Road  
Pittsburgh PA 15205-9707  
Allegheny County

Berlex Laboratories, Inc.  
300 Fairfield Road  
Wayne, NJ 07470  
Passaic County

Biogen, Inc.  
14 Cambridge Center  
Cambridge, MA 02142  
Middlesex County

Boehringer Ingelheim Corp.  
P.O. Box 368  
900 Ridgebury Road  
Ridgefield, CT 06877-0368  
Fairfield County

Bristol-Myers Squibb Company  
345 Park Avenue  
New York, NY 10154-0001  
New York County

Chiron Corporation  
4560 Horton Street  
Emeryville, CA 94608-2916  
Alameda County

Eli Lilly and Company  
Lilly Corporate Center  
Indianapolis, IN 46285  
Marion County

Forest Pharmaceuticals Inc.  
13600 Shoreline Drive  
St. Louis, MO 63045  
Saint Louis County

Fujisawa Health Care, Inc.  
Three Parkway North  
Deerfield, IL, 60015  
Lake County

Genentech, Inc.  
One DNA Way  
South San Francisco, CA 94080-4918  
San Mateo County

Genzyme Corp.  
500 Kendall Street  
Cambridge, MA 02142  
Middlesex County

SmithKline Beecham Corporation, d/b/a GlaxoSmithKline  
One Franklin Plaza  
Philadelphia, PA 19102  
Philadelphia County  
Delaware Corp.

Immunex Corporation  
51 University Street  
Seattle, WA 98101-2918  
King County

Ivax Corp.  
4400 Biscayne Blvd.  
Miami, FL 33137  
Miami-Dade County

Johnson & Johnson  
One Johnson & Johnson Plaza  
New Brunswick, NJ 08933  
Middlesex County

Janssen Pharmaceutical Products  
1125 Trenton-Harbourton Road  
Titusville, NJ 08560  
Mercer County

Ortho-McNeil Pharmaceuticals, Inc.  
1000 U.S. Route 202 South  
Raritan, NJ 08869  
Somerset County

Ortho Biotech Inc.  
700 U.S. Highway 202  
Raritan, NJ 08869  
Somerset County

Key Pharmaceuticals, Inc.  
1011 Morris Ave.  
U-13-2 2900  
Union, NJ 07083  
Union County

MedImmune, Inc.  
35 W. Watkins Mill Road  
Gaithersburg, MD 20878  
Montgomery County

Merck & Co., Inc.  
One Merck Drive, P.O. Box 100  
Whitehouse Station, NJ 08889-0100  
Hunterdon County

Mylan Laboratories Inc.  
1500 Corporate Drive  
Suite 400  
Canonsburg, PA 15317  
Washington County

Novartis Pharmaceuticals Corporation  
One Health Plaza  
East Hanover, NJ 07936-1016  
Morris County

Organon Inc., USA  
375, Mount Pleasant Avenue  
West Orange, NJ 07052  
Essex County

Pfizer, Inc.  
235 East 42nd St.  
New York, NY 10017-5703  
New York County

Pharmacia Corp.  
235 East 42nd St.  
New York, NY 10017-5703  
New York County

Purdue Pharma, L.P.  
One Stamford Forum  
201 Tresser Boulevard  
Stamford, CT 06901-3516

Fairfield County

Reliant Pharmaceuticals LLC  
721 Route 202/206  
South Bridgewater, NJ 08807  
Somerset County

Sanof-Synthelabo, Inc.  
One Wall Street  
New York, NY 10286  
New York County

Schering-Plough Corp.  
2000 Galloping Hill Rd.  
Kenilworth, NJ 07033-1310  
Union County

Serono, Inc.  
One Technology Place  
Rockland, MA 02370  
Plymouth County

Takeda Pharmaceuticals North America, Inc.  
475 Half Day Road  
Lincolnshire, IL 60069  
Lake County

TAP Pharmaceutical Products, Inc.  
675 North Field Drive  
Lake Forest, IL 60045  
Lake County

Warrick Pharmaceuticals Corp.  
12125 Moya Boulevard  
Reno, NV 89506-2600  
Washoe County

Wyeth  
Five Giralda Farms  
Madison, NJ 07940-1027  
Morris County

**AFFIDAVIT OF SERVICE**

UNITED STATES DISTRICT COURT  
District of Massachusetts

Case Number: 05-10179-PBS

Plaintiff:

**County of Nassau**

vs.

Defendant:

**Abbott Laboratories, Inc., Agouron Pharmaceuticals, Inc., et al.**

For:

Milberg Weiss Bershad & Schulman LLP  
One Pennsylvania Plaza  
New York, NY 10119

Received these papers to be served on **KEY PHARMACEUTICALS INC. located at 1011 Morris Avenue, U-13-2 2900, Union, New Jersey 07083.**

I, Kenneth Sloman, being duly sworn, depose and say that on the **29th day of March, 2005 at 10:18 am, I:**

personally served **Summons in a Civil Case, Complaint, Jury Trial Demanded, Civil Cover Sheet, Rule 7.1 Statement, Summons in a Civil Case, Amended Complaint, Civil Cover Sheet** to Cheryl Vesselli, Shering-Plough Law Clerk, authorized to accept on behalf of the above named Entity.

**Military Status:** Based upon my inquiry of the party served, the within named person is not in the military service of the United States of America.

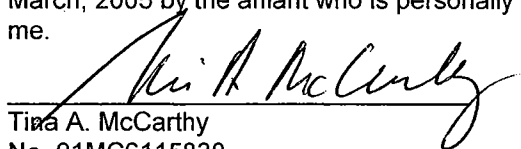
**Additional Information pertaining to this Service:**

ORIGINAL SERVICE WAS ATTEMPTED ON 3/23/2005. THE COMPANY HAS NOT BEEN AT THE LOCATION SINCE 2003. AFTER LOCATING NEW ADDRESS, DOCUMENTS WERE SERVED IN KENILWORTH, NJ UPON PARENT COMPANY--SHERING PLOUGH

**Description of Person Served:** Age: 50, Sex: F, Race/Skin Color: Caucasian, Height: 5'6", Weight: 160, Hair: Blond, Glasses: N

I am over the age of 18, am not a party in the above action, and am a Certified Process Server, in good standing, in the jurisdiction in which the process was served.

Subscribed and Sworn to before me on the 30th day of March, 2005 by the affiant who is personally known to me.

  
Tina A. McCarthy  
No. 01MC6115830  
Notary Public, State of New York  
Qualified in Bronx County  
Commission Expires 09/13/2008

  
Kenneth Sloman  
1009310

Court Support  
181 Hillside Ave  
Williston Park, NY 11596

Our Job Serial Number: 2005001144  
Ref: 040307-00001